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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	Case No. 5:21-mj-70910-MAG-1
	)	
Plaintiff,	)	STIPULATION TO EXCLUDE TIME FROM
	)	AUGUST 18, 2021 TO SEPTEMBER 20, 2021 AND
v.	)	[PROPOSED] ORDER
	)	
MIN HAO WU,	)	
	)	
Defendant.	)	

It is hereby stipulated by and between counsel for the United States and counsel for the defendant MIN HAO WU, that time be excluded under the Speedy Trial Act from AUGUST 18, 2021 through SEPTEMBER 20, 2021.

At the status conference held on AUGUST 18, 2021, the government and counsel for the defendant agreed that time be excluded under the Speedy Trial Act so that counsel for the defendant could continue to prepare, including by reviewing the discovery that has been and will be produced. For this reason and as further stated on the record at the status conference, the parties stipulate and agree that excluding time until SEPTEMBER 20, 2021 will allow for the effective preparation of counsel. See 18 U.S.C. § 3161(h)(7)(B)(iv). The parties further stipulate and agree that the ends of justice served by excluding the time from AUGUST 18, 2021 through SEPTEMBER 20, 2021 from computation under

the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A), (h)(7)(B)(iv).

For the above reasons, the defendant consents and the parties stipulate and agree that there is good cause to extend the time to conduct a preliminary hearing to no later 14 days after SEPTEMBER 20, 2021 if the defendant is in custody after that date and no later than 21 days if the defendant is not in custody after that date. *See* Fed. R. Crim. P. 5.1(d).

The undersigned Special Assistant United States Attorney certifies that he has obtained approval from counsel for the defendant to file this stipulation and proposed order.

IT IS SO STIPULATED.

Dated: August 18, 2021

/s/  
DANIEL N. KASSABIAN  
Special Assistant United States Attorney

Dated: August 18, 2021

/s/  
ERIK G. BABCOCK  
Counsel for Defendant MIN HAO WU


~~[PROPOSED]~~ ORDER

Based upon the facts set forth in the stipulation of the parties and the representations made to the Court on AUGUST 18, 2021 and for good cause shown, the Court finds that failing to exclude the time from AUGUST 18, 2021 through SEPTEMBER 20, 2021 would unreasonably deny defense counsel and the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence including by reviewing the discovery has been and will be produced. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time from AUGUST 18, 2021 through SEPTEMBER 20, 2021 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the time from AUGUST 18, 2021 through SEPTEMBER 20, 2021 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h).

1 For the above reasons, the Court further finds good cause to continue the preliminary hearing.  
2 Therefore, with the defendant consent, IT IS HEREBY ORDERED that the time to conduct a  
3 preliminary hearing to no later 14 days after SEPTEMBER 20, 2021 if the defendant is in custody after  
4 that date and no later than 21 days if the defendant is not in custody after that date. Fed. R. Crim. P.  
5 5.1(d).

6 **IT IS SO ORDERED.**

7  
8 Dated: August 19, 2021 \_

  
VIRGINIA K. DEMARCHI  
United States Magistrate Judge